

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

August 18, 2005 1:30 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Ms. Cheryl Dorrance, Chairperson, at 1:30 p.m., in Room 103, Oklahoma County Office Building, 320 Robert S. Kerr, with the following individuals present:

Ms. Cheryl Dorrance, Chairperson
Mr. David Richey, Member
Ms. Janet Price, Member
Mr. Roger Holloway, Member

Also in attendance:

Mr. Tyler Gammon, Jr., Planning Secretary
Ms. Ruth Walters, County Planner
Mr. Ray Reaves, P.E., D.E.E., County Engineer
Ms. Gretchen Crawford, Assistant District Attorney

Mr. Tyler Gammon, Planning Secretary, called roll and a quorum was declared.

Mr. Richey motioned adjournment; reconvening after the Floodplain Management Board meeting. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Dorrance – Aye; Holloway – Aye; Richey – Aye.

Mr. Richey motioned to reconvene the Planning Commission meeting. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Dorrance – Aye; Holloway – Aye; Richey – Aye.

Ms. Price motioned approval of the minutes from the meeting of June 16, 2005. Mr. Richey seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The minutes for the meeting of June 16, 2005, were approved.

Discussion and possible action regarding SCISSORTAIL LANDING II water issues and the issuance of building permits, per request of Barry T. Rice, P.C., attorney for Shaz Investment Group.

Mr. Gammon stated that staff received letters regarding Shaz Investments, Deer Creek Water Corporation, and Scissortail Landing.

The Board reviewed the letters.

Mr. Barry Rice stated that Shaz Investments had acquired one hundred four (104) acres of water rights. He stated that Shaz deeded the water rights to Deer Creek Water Corporation as part of the agreement with Deer Creek Water. He stated that there were other conditions that would have to be met for other phases of the subdivision. He asked that the commission lift the

restrictions on the issuance of building permits for phase two, subject to impact fees being paid to Deer Creek Water.

Ms. Dorrance asked Staff if it was their understanding that the letter received gave phase two water from Deer Creek Water Corp.

Mr. Gammon stated yes, it was their understanding that phase two would be provided water.

Dr. Richard Stansbury stated that he did not believe that they obtained water rights to one hundred four (104) acres because he owned 39% of one hundred sixty (160) acres. He stated that he had been against the development, due to the density, from the beginning. He stated that the water rights issue had not been resolved.

Mr. Rice stated that his client owned the remaining undivided 61% of the minerals acquired from the prior owner, Carol Heirs, which had since been deeded to the Deer Creek Water Corporation.

Ms. Dorrance offered Dr. Stansbury the copies of the documents provided by Mr. Rice.

Ms. Price motioned to table the item until a letter from Deer Creek Water stating that they would indeed service phase two with water could be produced. Mr. Holloway seconded the motion.

Mr. Rice stated that he felt like the letter previously received from Deer Creek Water was clear and there was 100% intent that Scissortail Landing Phase II would receive water. He stated that they had provided all that was asked of them. The agreements and deeds had been filed. He also stated that to table the item would delay any progress for at least thirty (30) days. A phone call or letter from Ms. Wells would probably clear up any issues that the commission may still have.

Ms. Price stated that she would be satisfied with written verification from Deer Creek Water.

Ms. Price retracted her motion.

Ms. Price motioned to remove the restrictions on building permits for Scissortail Landing Phase II contingent upon receipt of a letter from Deer Creek Water stating that they would indeed service Phase II with water. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The restrictions would be lifted provided the contingencies.

Re-Plat: (RE-2005-06) VILLAGIO @ DEER CREEK I

Applicant: **DEER CREEK FARM DEVELOPMENT, LLC.**
c/o: COON ENGINEERING, INC.

The applicant proposed re-filing the plat to correct 9-1-1 addressing omissions and to designate specific utility easements. The following is the legal description of the property:

A part of Section Fourteen (14), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma and more particularly described as follows:

Beginning at the Northwest Corner of said Section; thence North 89°26'09" East along the north boundary of said section a distance of 2643.74 feet; thence North 89°28'39" East along the north boundary of said section a distance of 290.47 feet; thence South 00°31'21" East a distance of 597.86 feet; thence South 60°46'35" West a distance of 166.77 feet; thence South 00°31'21" East a distance of 460.99 feet; thence South 14°32'02" West a distance of 606.54 feet; thence North 75°27'58" West a distance of 300.00 feet; thence South 14°32'02" West a distance of 208.35 feet; thence South 75°27'58" East a distance of 300.00 feet; thence South 21°23'49" West a distance of 229.53 feet; thence South 03°46'22" East a distance of 126.72 feet; thence South 86°13'38" West a distance of 123.45 feet; thence South 62°25'36" West a distance of 422.08 feet; thence South 80°43'26" West a distance of 228.85 feet; thence North 70°21'38" West a distance of 242.17 feet; thence North 50°43'36" West a distance of 50.00 feet to a point on a curve to the left, said curve having a radius of 275.00 feet, a central angle of 19°41'51", a chord bearing of North 29°25'29" East and a chord distance of 94.08 feet; thence along the arc of said curve a distance of 94.54 feet; thence North 19°34'34" East a distance of 22.54 feet; thence North 70°25'26" West a distance of 255.66 feet; thence South 32°51'57" West a distance of 10.26 feet; thence North 36°39'18" West a distance of 253.61 feet to a point on a curve to the right, said curve having a radius of 275.00 feet, a central angle of 04°16'28", a chord bearing of South 55°28'56" West and a chord distance of 20.51 feet; thence along the arc of said curve a distance of 20.52 feet; thence South 57°37'10" West a distance of 23.67 feet; thence North 32°22'50" West a distance of 223.17 feet; thence South 65°09'43" West a distance of 413.71 feet; thence North 24°50'17" West a distance of 232.50 feet; thence North 65°09'43" East a distance of 105.48 feet; thence North 24°50'17" West a distance of 182.50 feet; thence North 53°30'03" West a distance of 296.31 feet; thence North 30°51'18" West a distance of 535.60 feet; thence South 89°20'02" West a distance of 50.00 feet to a point on the west boundary of said section; thence North 00°39'58" West along the west boundary of said section a distance of 937.48 feet to the point of beginning containing 126.40 acres more or less.

Location: Northwest 220th (Coffee Creek) & Meridian Ave.
(County Highway District 3)

Mr. Gammon gave the Staff Report stating that the applicant was supposed to submit changes that were made for 9-1-1 purposes. The uncorrected final plat was filed in the County Clerk's Office. He stated that the revised final plat had the corrected addresses for 9-1-1.

Mr. Richey motioned approval of the re-plat of Villagio @ Deer Creek Section I. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The item was approved.

Deferred Item:

Final Plat: (FP-2005-03) ANTLER FARMS

Applicant: **BELL DEVELOPMENT, LLC**
 c/o COON ENGINEERING, INC.

The applicant proposed developing a single-family, residential subdivision with County maintained roads. Each lot would be one (1) acre or greater in size with a total of fifty-five (55) lots on 74.5432 acres, more or less. The following is the legal description of the property:

Part of the Northeast Quarter (NE/4) of Section Twenty-four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma and more particularly described as follows:

Beginning at a FIP being the Northeast Corner of said NE/4 thence South 00°00'03" East along the east line of said NE/4 a distance of 2644.04 feet to a FIP being the Southeast Corner of said NE/4, thence South 89°35'00" West along the south line of said NE/4 a distance of 1656.57 feet; thence North 00°01'59" West a distance of 1500.00 feet, thence North 89°14'01" East a distance of 994.55 feet; thence North 00°00'46" West a distance of 1138.36 feet to a set PK and Shiner on the north line of said NE/4 thence North 89°37'03" East along the north line of said NE/4 a distance of 663.16 feet to the Point of Beginning, containing 74.5434 acres more or less.

Location: West side of N. May Ave, 1/2 mile of South of 206th (Covell Road).
(County Highway District #3)

Mr. Gammon gave the Staff Report stating that the item was deferred due to pipeline issues.

Mr. Bryan Coon, Coon Engineering, stated that they had relocated the pipeline along the northern boundary. Mr. Coon stated that the new easement was on the plat.

Ms. Walters stated that they did receive the new plat with the easement shown. However, they had not received anything from the pipeline company stating that it had been done.

Mr. Coon stated that they would have a letter from the pipeline company prior to the plat going to the Board of County Commissioners for approval.

Mr. Richey motioned for approval contingent upon receiving a letter from the pipeline company regarding relocation of the pipeline. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The item was approved.

General Plat: (GP-2005-07)

PANTHER RUN

Application of:

**PANTHER RUN DEVELOPMENT, LLC
c/o BOATMAN ENGINEERING, LLC.**

The applicant proposed developing a single-family, residential subdivision with approximately 17 lots on 73.72 acres. The following is the legal description of the property:

Being a tract of land situated in Oklahoma County, Oklahoma in the Southeast Quarter (SE/4) of Section 8, Township 14 North, Range 1 East, Indian Meridian, and being that particular tract of land described in Document No. 2005076505, Book 9718, Page 1658, Clerk's Records, Oklahoma County, Oklahoma; said tract being the West half (W/2) of said SE/4, Less and Except a 5.22± acre tract, and being more particularly described as follows:

BEGINNING at a 3/8" dia. iron rod found at the Southwest corner of said SE/4; THENCE North 00 deg. 56 min. 27 sec. East, along the west line of said SE/4, a distance of 2,636.22 feet to a 1/2" dia. iron rod found for the northwest corner of said SE/4; THENCE South 89 deg. 15 min. 58 sec. East, along the north line of said SE/4, a distance of 1,300.95 feet to a 3/8" iron rod found for the Northeast corner of the West half (W/2) of said SE/4; THENCE South 00 deg. 47 min. 13 sec. West, along the east line of said W/2, a distance of 2,635.92 feet to a PK nail set for corner; THENCE North 89 deg. 16 min. 44 sec. West, along the south line of said SE/4, a distance of 608.03 feet to a PK nail set for corner; THENCE North 00 deg. 56 min. 27 sec. East, along the east line of said 5.22 acre tract, a distance of 650.00 feet to a 3/8" iron rod found for corner; THENCE North 89 deg. 16 min. 44 sec. West, along the north line of said 5.22 acre tract, a distance of 350.00 feet to a 3/8" iron rod found for corner; THENCE South 00 deg. 56 min. 27 sec. West, along the west line of

said 5.22 acre tract, a distance of 650.00 feet to a PK nail set for corner; THENCE North 89 deg. 16 min. 44 sec. West, along the south line of said SE/4, a distance of 350.00 feet to the POINT OF BEGINNING, and containing 73.72 acres of land, more or less.

Location: NE 220th & Peebly Rd.
(County Highway. District #1)

Mr. Gammon gave the Staff Report stating that the proposed general plat would be a private road subdivision and staff had received no protests.

Mr. Brad Boatman, Boatman Engineering, stated that the applicant planned to retain the ten acre lot for his personal use. The remaining lots would be between three and a half acres to seven acres. He believed that the density would be about seventeen homes on the 75 acres.

Ms. Walters stated that there were some changes that would have to be made to the length of the road, and a few lot line adjustments that could be handled at the preliminary plat stage.

Ms. Price motioned for approval of the general plat for Panther Run. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The item was approved.

**Zoning: (PUD-2005-04) From: AA-Agricultural and Rural Residential District
To: Planned Unit Development (PUD-2005-04)**

Applicant:

**A.S. DARR, M.D.
c/o: COON ENGINEERING, INC.**

The applicant proposed developing a single-family, residential subdivision with approximately 238 lots on 238 acres, with a common area and pond for recreational amenities. The following is the legal description of the property:

The South Half (S/2) of the Northwest Quarter (NW/4) of Section Twenty-Seven (27), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, according to the Government Survey thereof .

AND

The Southwest Quarter (SW/4) of Section Twenty Seven (27), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, less and except the following described tract:

Part of the Southwest Quarter (SW/4) of Section 27, and being more particularly described as follows: Beginning at the Southwest corner of the Southwest Quarter (SW/4) of Section 27; thence East 456.2 feet; thence North 238.7 feet; thence West 456.2 feet; thence South 238.7 feet to the point of beginning.

**Location: NW 178th and MacArthur Blvd.
(County Highway. District #3)**

Mr. Gammon gave the Staff Report stating that the proposed PUD would be a private road subdivision.

Mr. Bryan Coon stated that they would have 238 lots on 238 acres with ten percent (10%) dedicated green space. There would be a net density of 1:1; actual lot sizes being .57 acres. He

also stated that they had a letter from Deer Creek Water stating that they would provide water. Mr. Coon also stated that the proposed subdivision would be on public sewer

Mr. Dennis Box, representing Dr. Engles, property owner to the east, stated that his client was not objecting to the zoning or platting of the proposed development. He stated that his client's concerns included drainage and making sure that the commission had all of the facts prior to approval.

There were several protestors including: Mr. Craig Biggs, Mr. Brad Elder, and Mr. Terry Hall. Their concerns included the following:

- Sheriff highly understaffed.
- High density– overcrowding.
- Two-lane roads for agricultural use.
- Schools at their maximum capacity.
- Would like to see one acre or larger lots.
- Increased traffic.
- The area is serviced by a volunteer fire dept.
- Would like to see controlled growth in the area.

Ms. Dorrance stated that she was concerned that future developers would try to get away with the development around the floodplain in order to get smaller lots by using the floodplain as “green space.”

Ms. Price asked if it were possible to, or had the developer even thought about, having larger lot sizes.

Mr. Coon stated that they had checked into several different lot sizes and felt that the proposed size was the best choice for the applicant. He stated that they had considered soccer fields or ball fields in the floodplain area.

Ms. Dorrance stated that the PUD design statement did not include any ball fields and that it looked like a straight subdivision that was being called a PUD. She also stated that she was concerned about the density.

Mr. Richey stated that he felt like the proposed PUD did not meet the definition of a true PUD.

Mr. Richey made a motion to deny the application for the PUD zoning. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The item was approved.

General Plat: (GP-2005-04)

DEER CREEK HEIGHTS

Application of:

A.S. DARR, M.D.

c/o: COON ENGINEERING, INC.

The applicant proposed developing a single-family, residential subdivision with approximately 238 lots on 238 acres, with a common area and pond for recreational amenities. The following is the legal description of the property:

The South Half (S/2) of the Northwest Quarter (NW/4) of Section Twenty-Seven (27), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, according to the Government Survey thereof .

AND

The Southwest Quarter (SW/4) of Section Twenty Seven (27), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, less and except the following described tract:

Part of the Southwest Quarter (SW/4) of Section 27, and being more particularly described as follows: Beginning at the Southwest corner of the Southwest Quarter (SW/4) of Section 27; thence East 456.2 feet; thence North 238.7 feet; thence West 456.2 feet; thence South 238.7 feet to the point of beginning.

**Location: NW 178th and MacArthur Blvd.
(County Highway. District #3)**

This item was removed due to denial of the PUD application.

**Zoning: (PUD-2005-05) From: AA-Agricultural and Rural Residential District
To: Planned Unit Development (PUD-2005-05)**

Applicant: **SWAMI REAL ESTATE, LLC
c/o: COON ENGINEERING, INC.**

The applicant proposed developing two (2) tracts. **Tract 1** to be developed as **IU- Urban Industrial District** and **Tract 2** as **RA-Acreage Residential District**. The Urban Industrial tract would include all permitted uses in the Urban Industrial District. Tract 2 would be developed to accommodate single-family, residential homes, with lot sizes a minimum of one acre. The following is the legal description of the property:

A part of the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Fourteen (14)North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, said part being more particularly described as follows:

Commencing at the Northwest Corner of said Northwest Quarter; thence South 00°00'08" West along the West line of said Northwest Quarter a distance of 2569.24 feet to the point of beginning; thence from said POINT OF BEGINNING continuing South 00°00'08" West along said West line a distance of 55.58 feet to a point 30.00 feet North of the South line of said Northwest Quarter; thence North 89°40'14" East (FIELD) (North 89°40'37" East - LEGAL) along a line parallel to and 30.00 feet North of said South line a distance of 521.98 feet; thence North 00°20'11" West a distance of 30.00 feet to a point 60.00 feet North of said South line; thence South 89°40'14" West (FIELD) (South 89°40'37" West - LEGAL) along a line parallel to and 60.00 feet North of said South line a distance of 446.80 feet; thence North 45°09'37" West a distance of 35.25 feet; thence North 89°59'52" West a distance of 50.00 feet to the point of beginning containing 0.40 acres more or less.

AND

A part of the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Fourteen (14)North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, said part being more particularly described as follows:

Commencing at the Northwest Corner of said Northwest Quarter; thence North 89°52'08" East along the North line of said Northwest Quarter a distance of 444.88 feet to the point of beginning; thence from said POINT OF BEGINNING South 00°07'52" East a distance of 50.00 feet; thence South 45°03'52" East a distance of 35.31 feet; thence South 00°00'08" West a distance of 425.00 feet to a point on a curve to the left, said curve having a central angle of 33°43'54", a radius of 207.97 feet, a chord bearing of South 16°51'49" East and a chord distance of 120.68 feet; thence along the arc of said curve a distance of 122.44 feet; thence South 33°43' 46" East a distance of 171.07 feet, thence North 00°00'00" East a distance of 108.95 feet; thence North 33°43'46" West a distance of 81.21 feet to a point on a curve to the right, said curve having a central angle of 33°43'54", a radius of 147.97 feet, a chord bearing of North 16°51'49" West and a chord distance of 85.86 feet; thence along the arc of said curve a distance of 87.11 feet; thence North 00°00'08" East a distance of 425.14 feet, thence North 44°46'08" East a distance of 35.40 feet; thence North 00°07'52" West a distance of 50.00 feet to a point on the North line of said Northwest Quarter; thence South 89°52'08" West along said North line a distance of 100.00 feet to the point of beginning.

AND

A tract of land in the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows :

Beginning at the Southwest corner of said Northwest Quarter (NW/4); thence North 00° 00'08" East along the West line of said NW/4 a distance of 30.00 feet; thence North 89° 40'37" East and parallel to the South line of said NW/4 a distance of 521.98 feet; thence North 00° 20'11" West a distance of 918.24 feet; thence South 49°43' 49" East a distance of 301.04 feet; thence North 79°22'56" East a distance of 829.28 feet; thence South 00°39'10" West a distance of 900.71 feet to a point on the South line of said NW/4; thence South 89°40'37" West along said South line a distance of 1551.22 feet to the point of beginning;

AND

A tract of land in the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

Commencing at the Southwest corner of said Northwest Quarter (NW/4); thence North 89° 40'37" East along the South line of said Northwest Quarter (NW/4) a distance of 1,551.22 feet to the POINT OF BEGINNING; thence from said point of beginning North 00°39'10" East a distance of 900.71 feet; thence North 79°22'56" West a distance of 829.38 feet; thence North 49°43'49" West a distance of 191.66 feet; thence North 00°00'08" East a distance of 1,125.42 feet; thence North 89° 52'08" East a distance of 369.44 feet; thence South 18°06'16" East a distance of 155.44 feet; thence South 82° 40'35" East a distance of 685.37 feet, thence South 17°40'45" East a distance of 54.57 feet; thence South 03°56'07" West a distance of 102.23 feet; thence South 29°29'15" West a distance of 157.93 feet; thence South 54°03'02" East a distance of 292.73 feet; thence South 85°03'13" East a distance of 164.25 feet; thence South 29°56'19" East a distance of 1,021.19 feet; thence South 61° 31'49" East a distance of 133.78 feet to a point on the East line of said Northwest Quarter (NW/4); thence South 00°03'34" East along said East line a distance of 330.46 feet to a point, said point being the Southeast corner of said Northwest Quarter (NW/4); thence South 89°40'37" West along the South line of said Northwest Quarter (NW/4) a distance of 1,106.44 feet to the point of beginning.

AND

A tract or parcel of land lying in the Southwest Quarter (SW/4) of Section Twenty-four(24),Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, described as being the North 50 acres of the West 50 acres of the Southwest Quarter of Section 24, Township 14 North, Range 4 West, being more particularly described as follows: Beginning at the Northwest corner of said Southwest Quarter; thence East along the North line of said quarter section a distance of 1012.81 feet; thence South and parallel to the West line of said quarter section a distance of 2149.00 feet; thence West and parallel to the South line of said quarter section a distance of 1012.81 feet to a point on the West line of said quarter section; thence North along the West line of said quarter section a distance of 2151.00 feet to the point of beginning.

Location: NW 206th & Portland Ave.
(County Highway District #3)

Mr. Gammon gave the Staff Report stating that the proposed PUD was a mixed use development with industrial use on the South and residential on the North, with a sewage treatment plant to the East.

Mr. Bryan Coon stated that in the residential area the lots would be one acre. The industrial area would be restricted to storage and commercial with outside storage. The PUD would have private roads with two entrances and have ten percent 10% green space. He stated that they had a letter from Deer Creek Water for water service.

Mr. Gary Smith, owner of a nearby day care, stated that his primary concern was traffic.

Ms. Dorrance stated that there was a proposed development turned down a number of years ago in the same location because they felt it needed to be further away from the sewage plant. There were also plans of highway expansion. Ms. Dorrance also stated that what it looked like to her was a patch of RA in one corner and industrial on the other side, shy on amenities. She stated that her interpretation of a PUD was that you trade off densities and amenities so that when it was finished you would have a better finished product than just straight zoning. Ms. Dorrance stated that she felt that the industrial was very appropriate for the location; however, the residential did not belong there any more than the previous application that was turned down.

There was discussion about amending the PUD.

Mr. Richey made a motion to continue the item for one month. Ms. Price seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The item was continued.

General Plat: **DEER SPRINGS VILLAGE**

Applicant: **SWAMI REAL ESTATE, LLC**
c/o: COON ENGINEERING, INC.

The applicant proposed developing two (2) tracts. **Tract 1** to be developed as **IU- Urban Industrial District** and **Tract 2** as **RA-Acreage Residential District**. The Urban Industrial tract would include all permitted uses in the Urban Industrial District. Tract 2 would be developed to accommodate single-family, residential homes, with lot sizes a minimum of one acre. The following is the legal description of the property:

A part of the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Fourteen (14)North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, said part being more particularly described as follows:

Commencing at the Northwest Corner of said Northwest Quarter; thence South 00°00'08" West along the West line of said Northwest Quarter a distance of 2569.24 feet to the point of beginning; thence from said POINT OF BEGINNING continuing South 00°00'08" West along said West line a distance of 55.58 feet to a point 30.00 feet North of the South line of said Northwest Quarter; thence North 89°40'14" East (FIELD) (North 89°40'37" East - LEGAL) along a line parallel to and 30.00 feet North of said South line a distance of 521.98 feet; thence North 00°20'11" West a distance of 30.00 feet to a point 60.00 feet North of said South line; thence South 89°40'14" West (FIELD) (South 89°40'37" West - LEGAL) along a line parallel to and 60.00 feet North of said South line a distance of 446.80 feet; thence North 45°09'37" West a distance of 35.25 feet; thence North 89°59'52" West a distance of 50.00 feet to the point of beginning containing 0.40 acres more or less.

AND

A part of the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Fourteen (14)North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, said part being more particularly described as follows:

Commencing at the Northwest Corner of said Northwest Quarter; thence North 89°52'08" East along the North line of said Northwest Quarter a distance of 444.88 feet to the point of beginning; thence from said POINT OF BEGINNING South 00°07'52" East a distance of 50.00 feet; thence South 45°03'52" East a distance of 35.31 feet; thence South 00°00'08" West a distance of 425.00 feet to a point on a curve to the left, said curve having a central angle of 33°43'54", a radius of 207.97 feet, a chord bearing of South 16°51'49" East and a chord distance of 120.68 feet; thence along the arc of said curve a distance of 122.44 feet; thence South 33°43' 46" East a distance of 171.07 feet, thence North 00°00'00" East a distance of 108.95 feet; thence North 33°43'46" West a distance of 81.21 feet to a point on a curve to the right, said curve having a central angle of 33°43'54", a radius of 147.97 feet, a chord bearing of North 16°51'49" West and a chord distance of 85.86 feet; thence along the arc of said curve a distance of 87.11 feet; thence North 00°00'08" East a distance of 425.14 feet, thence North 44°46'08" East a distance of 35.40 feet; thence North 00°07'52" West a distance of 50.00 feet to a point on the North line of said Northwest Quarter; thence South 89°52'08" West along said North line a distance of 100.00 feet to the point of beginning.

AND

A tract of land in the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows :

Beginning at the Southwest corner of said Northwest Quarter (NW/4); thence North 00° 00'08" East along the West line of said NW/4 a distance of 30.00 feet; thence North 89° 40'37" East and parallel to the South line of said NW/4 a distance of 521.98 feet; thence North 00° 20'11" West a distance of 918.24 feet; thence South 49°43' 49" East a distance of 301.04 feet; thence North 79°22'56" East a distance of 829.28 feet; thence South 00°39'10" West a distance of 900.71 feet to a point on the South line of said NW/4; thence South 89°40'37" West along said South line a distance of 1551.22 feet to the point of beginning;

AND

A tract of land in the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

Commencing at the Southwest corner of said Northwest Quarter (NW/4); thence North 89° 40'37" East along the South line of said Northwest Quarter (NW/4) a distance of 1,551.22 feet to the POINT OF BEGINNING; thence from said point of beginning North 00°39'10" East a distance of 900.71 feet; thence North 79°22'56" West a distance of 829.38 feet; thence North 49°43'49" West a distance of 191.66 feet; thence North 00°00'08" East a distance of 1,125.42 feet; thence North 89° 52'08" East a distance of 369.44 feet; thence South 18°06'16" East a distance of 155.44 feet; thence South 82° 40'35" East a distance of 685.37 feet, thence South 17°40'45" East a distance of 54.57 feet; thence South 03°56'07" West a distance of 102.23 feet; thence South 29°29'15" West a distance of 157.93 feet; thence South 54°03'02" East a distance of 292.73 feet; thence South 85°03'13" East a distance of 164.25 feet; thence South 29°56'19" East a distance of 1,021.19 feet; thence South 61° 31'49" East a distance of 133.78 feet to a point on the East line of said Northwest Quarter (NW/4); thence South 00°03'34" East along said East line a distance of 330.46 feet to a point, said point being the Southeast corner of said Northwest Quarter (NW/4); thence South 89°40'37" West along the South line of said Northwest Quarter (NW/4) a distance of 1,106.44 feet to the point of beginning.

AND

A tract or parcel of land lying in the Southwest Quarter (SW/4) of Section Twenty-four(24),Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, described as being the North 50 acres of the West 50 acres of the Southwest Quarter of Section 24, Township 14 North, Range 4 West, being more particularly described as follows: Beginning at the Northwest corner of said Southwest Quarter; thence East along the North line of said quarter section a distance of 1012.81 feet; thence South and parallel to the West line of said quarter section a distance of 2149.00 feet; thence West and parallel to the South line of said quarter section a distance of 1012.81 feet to a point on the West line of said quarter section; thence North along the West line of said quarter section a distance of 2151.00 feet to the point of beginning.

Location: NW 206th & Portland Ave.
(County Highway District #3)

Mr. Richey made a motion to defer the item for 30 days. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The item was deferred.

**Zoning: (PUD-2005-06) From: AA-Agricultural and Rural Residential District
To: Planned Unit Development (PUD-2005-06)**

Applicant: **78 ROBINSON, LLC
c/o: COON ENGINEERING, INC.**

The applicant proposed developing a residential subdivision according to the RS-Urban Single-Family Residential District. Lots would be approximately three-fourths of an acre in size. The proposed development would encompass approximately 151.50 acres. The following is the legal description of the property:

A part of the Northwest Quarter (NW/4) of Section Fifteen (15), Township Fourteen (14)North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, said part being more particularly described as follows: BEGINNING at the Northwest corner of said Northwest Quarter (NW/4); thence North90°00'00" East along the north line of said Northwest Quarter (NW/4) a distance of 2654.57 feet to the Northeast corner of said Northwest Quarter (NW/4); thence South 00°05'18" East along the east line of said

Northwest Quarter (NW/4) a distance of 2644.84 feet to the Southeast corner of said Northwest Quarter (NW/4); thence South 89°48'47" West along the south line of said Northwest Quarter (NW/4) a distance of 1998.94 feet; thence North 00°00'43" East a distance of 264.00 feet; thence South 89°48'47" West a distance of 660.27 feet to a point on the west line of said Northwest Quarter (NW/4); thence North 00°00'43" East along said west line a distance of 2389.51 feet to the point of beginning containing 6864250.6602 square feet or 157.5815 acres more or less,

LESS AND EXCEPT THE FOLLOWING DESCRIBED TRACT:

A parcel described as a part of the NW/4 of Section 15, Township 14 North, Range 4W, I.M., more particularly described as follows: Commencing at the NW Corner of the NW/4 of Section 15, Township 14 North, Range 4W, I.M, thence East along the North line a distance of 511.23 feet; thence South and parallel to the West line of Section 15 a distance of 511.23 feet; thence West and parallel to the North line of Section 15 a distance of 511.23 feet to a point on the West line; thence North along said West line a distance of 511.23 feet to the point of beginning; containing 6.00 acres more or less.

Location: NW 220th & MacArthur Blvd.
(County Highway District #3)

Mr. Gammon gave the Staff Report stating that there had been numerous protests. He handed out the protests that were received after the mailing to the commission members.

Members took a moment to review the letters.

Mr. Bryan Coon stated that the corner would be brought in at a later date. It was intended for commercial. The residential would consist of 138 lots on 154 acres with public water (letter in hand from Deer Creek Water) and ten percent 10% green space. He stated that the development would be next door to the new elementary school with a walkway from the development to the school.

Ms. Dorrance asked why that wasn't shown on the general plat.

Mr. Coon stated that he did not expect the general plat to be that detailed.

Ms. Dorrance stated that a regular general plat did not have to be that detailed but a PUD did.

There were several protestors present including: Ms. Vanita Morris; Mr. Harry Brown, Attorney for Mr. Blumenthal; and Mr. Brad Elder. Their concerns were as follows:

- Fire
- Water
- Schools
- Sewer
- Roads

Mr. Harry Brown asked that the developer meet with the area residents to discuss some of the issues.

Mr. Box stated that his clients would agree to meet with the area residents.

Mr. Gammon asked if there was anything that the commission would like to see from the developer, before returning.

Ms. Dorrance stated that the PUD would need to be more detailed.

Ms. Walters asked that they give staff more than a few days to review the PUD.

Mr. Coon agreed to have the PUD available one week prior to the scheduled meeting.

Mr. Richey made a motion to defer the item for 30 days. Ms. Price seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The item was deferred.

General Plat: (GP-2005-06) MACEY’S LANDING

Applicant: **78 ROBINSON, LLC
c/o: COON ENGINEERING, INC.**

The applicant proposed developing a single-family, residential subdivision, with approximately 138 lots on 151.50 acres. The following is the legal description of the property:

A part of the Northwest Quarter (NW/4) of Section Fifteen (15), Township Fourteen (14)North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, said part being more particularly described as follows: BEGINNING at the Northwest corner of said Northwest Quarter (NW/4); thence North90°00'00" East along the north line of said Northwest Quarter (NW/4) a distance of 2654.57 feet to the Northeast corner of said Northwest Quarter (NW/4); thence South 00°05'18" East along the east line of said Northwest Quarter (NW/4) a distance of 2644.84 feet to the Southeast corner of said Northwest Quarter (NW/4); thence South 89°48'47" West along the south line of said Northwest Quarter (NW/4) a distance of 1998.94 feet; thence North 00°00'43" East a distance of 264.00 feet; thence South 89°48'47" West a distance of 660.27 feet to a point on the west line of said Northwest Quarter (NW/4);thence North 00°00'43" East along said west line a distance of 2389.51 feet to the point of beginning containing 6864250.6602 square feet or 157.5815 acres more or less,

LESS AND EXCEPT THE FOLLOWING DESCRIBED TRACT:

A parcel described as a part of the NW/4 of Section 15, Township 14 North, Range 4W, I.M., more particularly described as follows: Commencing at the NW Corner of the NW/4 of Section 15, Township 14 North, Range 4W, I.M, thence East along the North line a distance of 511.23 feet; thence South and parallel to the West line of Section 15 a distance of 511.23 feet; thence West and parallel to the North line of Section 15 a distance of 511.23 feet to a point on the West line; thence North along said West line a distance of 511.23 feet to the point of beginning; containing 6.00 acres more or less.

**Location: NW 220th & MacArthur Blvd.
(County Highway District #3)**

Mr. Richey made a motion to defer the item for 30 days. Ms. Price seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The item was deferred.

**Zoning: (Z-2005-01) From: AA-Agricultural and Rural Residential District
To: RA-Acreage Residential District (Z-2005-01).**

Applicant:

TIMOTHY & JAN SMITH
c/o: COON ENGINEERING, INC.

The applicant proposed developing a single-family, residential subdivision with approximately 100, one-acre lots, on a 189.936 acre tract. The following is a legal description of the property:

The SW/4 AND the S/2 of the NW/4 of Section 33, Township 14 North, Range 4 West of the I.M., Oklahoma County, Oklahoma, LESS AND EXCEPT THE FOLLOWING DESCRIBED TRACTS: BEGINNING at the NW/C of the S/2 of the NW/4 of Section 33; THENCE South along the West line of said NW/4 a distance of 1320 feet more or less to the SW/C of said NW/4; THENCE East along the South line of said NW/4 a distance of 990 feet; THENCE North and parallel with the West line of said NW/4 a distance of 1320 feet; THENCE West and parallel with the South line of said NW/4 a distance of 990 feet more or less to the point or place of beginning; AND Commencing at the NW/C of the S/2 of the NW/4 of Section 33; THENCE South along the West line of said NW/4 a distance of 1320 feet more or less to the SW/C of said NW/4; THENCE East along the South line of said NW/4 a distance of 990 feet to the point of beginning; THENCE continuing East along the South line of said NW/4 a distance of 660 feet; THENCE North and parallel with the West line of said NW/4 a distance of 1320 feet; THENCE West and parallel with the South line of said NW/4 a distance of 660 feet; THENCE South and parallel to the West line of said NW/4 a distance of 1320 feet to the Point of Beginning.

Location: NW 164th & Rockwell Ave.
(County Highway District # 3)

Mr. Gammon gave the Staff Report stating that for the proposed rezoning to RA, no protests had been received. There were floodplain issues, along with a road crossing the floodplain. He stated that they had proposed 100 lots on 191 acres.

Mr. Coon stated that they had proposed 100 lots on 191 acres. He also stated that they understood the floodplain issues and rules that would have to be followed including elevation studies and 404 permits. Mr. Coon stated that the proposed development had been seen previously by the Planning Commission, but at a higher density.

Mr. Bill Lewellyn, resident, stated that he wanted to thank Mr. Smith for decreasing the amount of lots. He stated that he felt that the development would be very nice.

Ms. Walters stated that she felt that the road should be moved away from the property line.

Mr. Coon stated that they would take it into consideration.

Mr. Tim Smith, proposed property owner, stated that they could possibly move it a few feet and not take away from what they were trying to accomplish.

Mr. Reaves asked that they take a look at the cul-de-sac and make some adjustments so that it would not touch the property line.

Mr. Richey made a motion to approve the zoning. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The item was approved.

General Plat: (GP-2005-08)

ROCKWELL ADDITION

Applicant:

**TIMOTHY & JAN SMITH
c/o: COON ENGINEERING, INC.**

The applicant proposed developing a single-family, residential subdivision with approximately 100, one-acre lots, on a 189.936 acre tract. The following is a legal description of the property:

The SW/4 AND the S/2 of the NW/4 of Section 33, Township 14 North, Range 4 West of the I.M., Oklahoma County, Oklahoma, LESS AND EXCEPT THE FOLLOWING DESCRIBED TRACTS: BEGINNING at the NW/C of the S/2 of the NW/4 of Section 33; THENCE South along the West line of said NW/4 a distance of 1320 feet more or less to the SW/C of said NW/4; THENCE East along the South line of said NW/4 a distance of 990 feet; THENCE North and parallel with the West line of said NW/4 a distance of 1320 feet; THENCE West and parallel with the South line of said NW/4 a distance of 990 feet more or less to the point or place of beginning; AND Commencing at the NW/C of the S/2 of the NW/4 of Section 33; THENCE South along the West line of said NW/4 a distance of 1320 feet more or less to the SW/C of said NW/4; THENCE East along the South line of said NW/4 a distance of 990 feet to the point of beginning; THENCE continuing East along the South line of said NW/4 a distance of 660 feet; THENCE North and parallel with the West line of said NW/4 a distance of 1320 feet; THENCE West and parallel with the South line of said NW/4 a distance of 660 feet; THENCE South and parallel to the West line of said NW/4 a distance of 1320 feet to the Point of Beginning.

**Location: NW 164th & Rockwell Ave.
(County Highway District # 3)**

Mr. Richey made a motion to approve the general plat including the adjustment to the cul-de-sac. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The item was approved.

Review and acknowledgement of Erosion Control Bonds for Antler Farms and Panther Run subdivisions.

Mr. Richey made a motion to acknowledge the erosion control bonds for Antler Farms and Panther Run Subdivisions. Ms. Price seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The erosion control bonds were acknowledged.

June and July 2005 Fee Fund Reports.

Mr. Gammon reported the fees collected for June 2005 were \$42,846.20 and for July 2005 were \$43,326.07. Mr. Richey motioned to accept the report. Ms. Price seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The motion was approved to accept the Fee Fund Reports for June & July 2005.

Discussion and possible action to approve revised Subdivision Regulations.

Ms. Walters discussed with the commission a few of the changes made to the revised Subdivision Regulations.

Mr. Holloway motioned to approve the revised Subdivision Regulations and proceed to the Board of County Commissioners. Mr. Richey seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye.

Other Business:

- Ms. Dorrance suggested to PC members to bring their packets with them to save trees.
- PUD concept does not seem to be working.
- Ask staff to include Deer Creek Water letter in the packet.
- Need to be consistent in decisions.
- Bill Hancock commended staff on the meeting for the Master Plan in District 3.

Adjournment:

Mr. Richey motioned for adjournment. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye. The meeting was adjourned at 4:00 p.m.

Approved this _____ day of _____, 2005.

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Cheryl Dorrance, Chairperson

ATTEST:

Tyler Gammon, Jr., Secretary